

The opinion in support of the decision being entered today was *not* written for publication and is *not* binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte YUKIKO KUBOTA, DUANE CLIFFORD KARNS,
and KURT WARREN WIERMAN

Application 10/650,302
Technology Center 1700

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U.S. PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This Image File Wrapper (IFW) application was electronically received at the Board of Patent Appeals and Interferences on December 20, 2006. A review has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner. The matters requiring attention prior to docketing are identified below:

APPEAL BRIEF

Appellants filed an Appeal Brief which was received by the USPTO on September 22, 2005. The following sections are either missing or lack required content:

Summary of Claimed Subject Matter

The content provided under the section “Summary of Claimed Subject Matter” is not commensurate in scope with 37 C.F.R. § 41.37(c)(1)(v) because the content does not give a concise explanation of the subject matter defined in each of the independent claims involved in the appeal.

Evidence and Related Proceedings Appendices

Two required headings are not present in the Appeal Brief received by the USPTO on September 22, 2005. The headings are:

Evidence Appendix as required by 37 C.F.R. § 41.37(c)(1)(ix);
and the

Related Proceedings Appendix as required by 37 C.F.R. § 41.37(c)(1)(x).

As outlined above, correction is required.

Accordingly, it is

ORDERED that the application is returned to the Examiner:

(1) to instruct Appellants to provide a Supplemental Appeal Brief which fully complies with 37 C.F.R. § 41.37(c)(1)(v), (c)(1)(ix), and (c)(1)(x); to have said Supplemental Appeal Brief made a part of the IFW Official record; and

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(2) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
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